

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

G. MATTHEW KINSMAN, :
: Plaintiff, :
: v. : CIVIL ACTION NO. 3:05-CV-1928
: (JUDGE KOSIK)
LIFE INSURANCE COMPANY OF :
NORTH AMERICA :
: Defendant. :
:

ORDER

AND NOW, this 23rd day of March, 2006, IT IS HEREBY ORDERED THAT:

- [1] Plaintiff, G. Matthew Kinsman's motion (Doc. 12) to permit discovery outside of the administrative record is **DENIED**;
- [2] the court will consider this case upon the administrative record;
- [3] the decision of the defendant to deny plaintiff's claim for benefits will be reviewed under the arbitrary and capricious standard, as agreed to by the parties in their joint case management plan (Doc. 10);
- [4] any variation of the standard of review, pursuant to the sliding scale approach set forth in *Pinto v. Reliance Standard Life Ins. Co.*, 214 F.3d 377 (3d Cir. 2000), will be considered when reaching the merits of plaintiff's claim;
- [5] the parties are directed to file any dispositive motions, along with the administrative record, within sixty (60) days of this order.

s/Edwin M. Kosik
United States District Judge